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Paper No. 12

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**JAN 15 2002**

**OFFICE OF PETITIONS**

In re Application of  
Joseph B. Kejha  
Application No. 09/350,713  
Filed: July 9, 1999  
Attorney Docket No. JBK-7

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 19, 2001, to revive the above-identified application.

The petition is **GRANTED**.

The above-cited application became abandoned for failure to reply in a timely manner to the non-final Office action mailed November 30, 2000, which set a shortened statutory period for reply of three (3) months. Petitioner filed a reply on May 30, 2001, and attempted to obtain an extension of time within the third month. Petitioner did not, however, remit a sufficient amount to cover the fee for the extension of time for reply within the third month. Because the maximum statutory period for reply expired on May 30, 2001, petitioner could not file an additional reply. The application became abandoned on March 2, 2001. A Notice of Abandonment was mailed on July 19, 2001.

Petitioner will be refunded the amount of \$435.00 and \$25.00 remitted for extension of time within the third month that was not made available to petitioner.

The application is being forwarded to Technology Center 3600 review of the response filed on December 19, 2001.

Telephone inquiries concerning this decision should be directed to Kenya A. McLaughlin, Petitions Attorney, at (703) 305-0010.

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